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**BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

LEONARD LEE CHRISTIAN
184 Bobwhite Street
Roseburg, OR 97470

Registered Nurse License No. 603629

RESPONDENT

Case No. 2010-411

DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

FINDINGS OF FACT

1. On or about March 2, 2010, Complainant Louise R. Bailey, M.Ed.,RN, in her official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department of Consumer Affairs, filed Accusation No. 2010-411 against Leonard Lee Christian (Respondent) before the Board of Registered Nursing.

2. On or about August 6, 2002, the Board of Registered Nursing (Board) issued Registered Nurse License No. 603629 to Respondent. The Registered Nurse License was in full force and effect at all times relevant to the charges brought herein and expired on June 30, 2006 and has not been renewed.

3. On or about March 2, 2010, Kami Pratab, an employee of the Board of Registered Nursing, Department of Consumer Affairs, served by Certified and First Class Mail a copy of the Accusation No. 2010-411, Statement to Respondent, Notice of Defense, Request for Discovery, and Government Code sections 11507.5, 11507.6, and 11507.7 to Respondent's address of record with the Board, which was and is: 184 Bobwhite Street, Roseburg, OR 97470.

A copy of the Accusation is attached as Exhibit A, and is incorporated herein by reference.

4. Service of the Accusation was effective as a matter of law under the provisions of Government Code section 11505, subdivision (c).

1 As of March 26, 2010, twenty four days after service of the accusation, neither the Certified
2 Mail Receipt nor the First Class Mail was returned to the Board.

3 5. Business and Professions Code section 2764 states:

4 The lapsing or suspension of a license by operation of law or by order or decision of
5 the board or a court of law, or the voluntary surrender of a license by a licentiate shall not deprive
6 the board of jurisdiction to proceed with an investigation of or action or disciplinary proceeding
7 against such license, or to render a decision suspending or revoking such license.

8 6. Government Code section 11506 states, in pertinent part:

9 (c) The respondent shall be entitled to a hearing on the merits if the respondent files a
10 notice of defense, and the notice shall be deemed a specific denial of all parts of the accusation
11 not expressly admitted. Failure to file a notice of defense shall constitute a waiver of respondent's
12 right to a hearing, but the agency in its discretion may nevertheless grant a hearing.

13 Respondent failed to file a Notice of Defense within 15 days after service upon her of the
14 Accusation, and therefore waived his right to a hearing on the merits of Accusation No. 2010-
15 411.

16 7. California Government Code section 11520 states, in pertinent part:

17 (a) If the respondent either fails to file a notice of defense or to appear at the hearing, the
18 agency may take action based upon the respondent's express admissions or upon other evidence
19 and affidavits may be used as evidence without any notice to respondent.

20 8. Pursuant to its authority under Government Code section 11520, the Board finds
21 Respondent is in default. The Board will take action without further hearing and, based on the
22 evidence on file herein, finds that the allegations in Accusation No. 2010-411 are true.

23 9. The total costs for investigation and enforcement in connection with the Accusation
24 are \$932.50 as of March 26, 2010.

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DETERMINATION OF ISSUES

1. Based on the foregoing findings of fact, Respondent Leonard Lee Christian has subjected his Registered Nurse License No. 603629, to discipline.

2. A copy of the Accusation is attached.

3. The agency has jurisdiction to adjudicate this case by default.

4. The Board of Registered Nursing is authorized to revoke Respondent's Registered Nurse License based upon the following violations alleged in the Accusation:

a. Violation of Business and Professions Code section 2761(a)(4) - Disciplinary action by another State Board of Nursing.

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BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Case No. 2010-411

LEONARD LEE CHRISTIAN
184 Bobwhite Street
Roseburg, OR 97470

ORDER

Registered Nurse License No. 603629

Respondent

IT IS SO ORDERED that Registered Nurse License No. 603629, heretofore issued to Respondent Leonard Lee Christian, is revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on June 3, 2010.

It is so ORDERED May 4, 2010.



FOR THE BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS

Attachment:

Exhibit A: Accusation No. 2010-411

Exhibit A

Accusation No. 2010-411

1 EDMUND G. BROWN JR.
Attorney General of California
2 ARTHUR D. TAGGART
Supervising Deputy Attorney General
3 ELENA L. ALMANZO
Deputy Attorney General
4 State Bar No. 131058
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 322-5524
Facsimile: (916) 327-8643

7 *Attorneys for Complainant*

8
9 **BEFORE THE**
10 **BOARD OF REGISTERED NURSING**
11 **DEPARTMENT OF CONSUMER AFFAIRS**
12 **STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

Case No. **2010-411**

14 **LEONARD LEE CHRISTIAN**
184 Bobwhite Street
15 Roseburg, OR 97470

ACCUSATION

16 **Registered Nurse License No. 603629**

17 Respondent.

18
19 Complainant alleges:

20 **PARTIES**

21 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her
22 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department
23 of Consumer Affairs.

24 **License History**

25 2. On or about August 6, 2002, the Board of Registered Nursing issued Registered
26 Nurse License Number 603629 to Leonard Lee Christian ("Respondent"). The license expired on
27 June 30, 2006, and has not been renewed.

28 ///

JURISDICTION

3. This Accusation is brought before the Board of Registered Nursing ("Board"), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code ("Code"), unless otherwise indicated.

4. Code section 2750 provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with Code section 2750) of the Nursing Practice Act.

5. Code section 2764, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under Code section 2811, subdivision (b), the Board may renew an expired license at any time within eight years after the expiration.

6. Code section 118, subdivision (b), provides that the suspension, expiration, surrender, or cancellation of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

STATUTORY PROVISIONS

7. Code section 2761 states, in pertinent part:

The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

(a) Unprofessional conduct, which includes, but is not limited to, the following:

(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action.

COST RECOVERY

8. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

1 CAUSE FOR DISCIPLINE

2 (Out-of-State Discipline)

3 9. Respondent is subject to disciplinary action under Code section 2761, subdivision
4 (a)(4), on the grounds of unprofessional conduct, in that Respondent's Registered Nurse License
5 was disciplined by the Arizona State Board of Nursing ("Arizona Board"). In the action entitled,
6 *In the Matter of Registered Nurse License No. RN 120173 Issued to: Leonard Lee Christian,*
7 *Respondent*, effective August 4, 2009, pursuant to a Consent For Entry of Voluntary Surrender
8 Order No. 0904064, Respondent voluntarily surrendered his Registered Nurse License No. RN
9 120173 to the Arizona Board. Respondent is not eligible to reapply for licensure until he is able
10 to provide evidence that the basis for the voluntary surrender has been removed and that the
11 reissuance of the license does not constitute a threat to the public's health, safety and welfare.
12 Furthermore, Respondent must take physical, psychological, or psychiatric evaluations if the
13 Arizona Board deems it necessary.

14 The underlying circumstances of the discipline are that the Arizona Board received the
15 following information:

16 Between 2005 and 2008, a review of Respondent's employment records revealed that he
17 was counseled by his supervisors, at three different medical centers, regarding patient care and for
18 exhibiting negative behaviors involving anger. Respondent resigned from each of those
19 employments.

20 On or about September 25, 2007, Respondent was arrested and charged for domestic
21 violence. Subsequent thereto, Respondent was admitted to a hospital due to his mental status and
22 then was discharged to the Veterans Administration Hospital where he was diagnosed with post-
23 traumatic stress disorder and alcohol dependency.

24 On October 4, 2007, Respondent threatened to commit suicide while under the influence of
25 alcohol.

26 On or about April 30, 2009, the Board received information alleging that while on duty at
27 Eloy Prison, Respondent verbally threatened and/or intimidated a co-worker and/or a corrections
28 officer. Respondent resigned and is not eligible for rehire.

1 On June 16, 2009, Respondent left derogatory phone messages directed to the Arizona
2 Department of Corrections.

3 A copy of the Arizona Board's Consent for Entry of Voluntary Surrender Order No.
4 0904064, Findings of Fact, and Conclusions of Law is attached as Exhibit A, and is incorporated
5 herein.

6 PRAYER

7 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
8 and that following the hearing, the Board of Registered Nursing issue a decision:

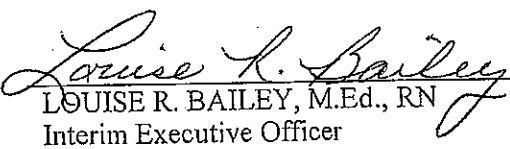
9 1. Revoking or suspending Registered Nurse License Number 603629 issued to
10 Leonard Lee Christian;

11 2. Ordering Leonard Lee Christian to pay the Board the reasonable costs of the
12 investigation and enforcement of this case, pursuant to Code section 125.3; and,

13 3. Taking such other and further action as deemed necessary and proper.

14
15 DATED: _____

3/2/10


LOUISE R. BAILEY, M.Ed., RN
Interim Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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Exhibit A

Janice K. Brewer
Governor



Joey Ridenour
Executive Director

Arizona State Board of Nursing

4747 North 7th Street, Suite 200
Phoenix AZ 85014-3655
Phone (602) 771-7800 Fax (602) 771-7888
E-Mail: arizona@azbn.gov
Home Page: <http://www.azbn.gov>

AFFIDAVIT OF CUSTODIAN OF RECORDS

STATE OF ARIZONA

COUNTY OF MARICOPA

I, Joey Ridenour, Executive Director for the Arizona State Board of Nursing, County of Maricopa, State of Arizona, do hereby certify that I am the officer having the legal custody for the records hereto attached in the office of the Arizona State Board of Nursing, County of Maricopa, State of Arizona, a public office of said State. The attached copies are true copies of the records on **LEONARD LEE CHRISTIAN**. Personnel of the Arizona State Board of Nursing prepared the records during the ordinary course of business.

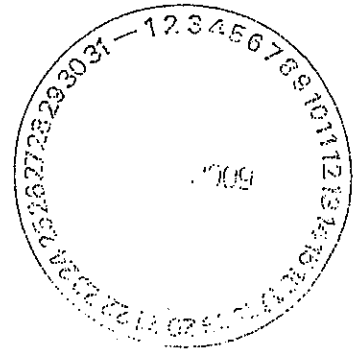
Witness my hand and the seal of the Arizona State Board of Nursing at 4747 N. 7th Street, Suite 200, Phoenix, Arizona 85014-3655 on August 12, 2009.

SEAL

Joey Ridenour R.N. M.N. F.A.A.N.

Joey Ridenour, R.N., M.N., F.A.A.N.
Executive Director

ARIZONA STATE BOARD OF NURSING
4747 North 7th Street, Suite 200
Phoenix, Arizona 85014-3655
602-889-5150



IN THE MATTER OF REGISTERED
NURSE LICENSE NO. RN120173
ISSUED TO:

LEONARD LEE CHRISTIAN
RESPONDENT

CONSENT FOR ENTRY OF
VOLUNTARY SURRENDER
ORDER NO. 0904064

A complaint charging Leonard Lee Christian ("Respondent") with violation of the Nurse Practice Act has been received by the Arizona State Board of Nursing ("Board"). In the interest of a prompt and speedy settlement of the above-captioned matter, consistent with the public interest, statutory requirements, and the responsibilities of the Board, and pursuant to A.R.S. §2-1663 (D)(5), Respondent voluntarily surrenders his license for a minimum of five years.

Based on the evidence before it, the Board makes the following Findings of Fact, Conclusions of Law:

FINDINGS OF FACT

1. Respondent holds Board issued registered nurse license no. RN120173.
2. On or about April 6, 2009, Respondent contacted the Board, inquiring whether or not a complaint had been filed by his former employer, the Eloy Prison, for unprofessional conduct.
3. From on or about February 2, 2009, to on or about March 27, 2009, Respondent was employed by Corrections Corporation of America (CCA).
4. On or about April 30, 2009, Board staff received information alleging that while on duty Respondent verbally threatened and/or intimidated a co-worker and/or a corrections officer at the Eloy Prison. Respondent resigned his position and is not eligible for rehire.

5. From on or about 2005, to on or about 2008, a review of Respondent's employment records from Northwest Medical Center, Tucson, AZ, Casa Grande Medical Center, Casa Grande, AZ and Banner Thunderbird Medical Center, Glendale, AZ, revealed that he was counseled by his supervisors for patient care concerns and had exhibited negative behaviors involving anger during his employment as a Registered Nurse. Respondent's employment records revealed that he resigned his employment at each of these facilities without prior notification.

6. On or about September 25, 2007, Respondent was arrested and charged with domestic violence and assault by the Marana Police Department, Report No. 2007092836. According to the police report, Respondent was reportedly under the influence of alcohol at the time of his arrest.

7. On or about September 25, 2007, Respondent was admitted to Northwest Hospital, Tucson, AZ for changes in his mental status. Respondent was discharged to the Tucson Veterans Administration Hospital of Southern Arizona with, among other diagnoses, post-traumatic stress disorder and alcohol dependency.

8. On or about October 4, 2007, the Marana Police Department personnel responded to a phone call from Respondent's wife, who stated that Respondent reportedly threatened to commit suicide by injecting himself with large amounts of insulin. According to the police report, Respondent's wife asserted that he had ingested alcohol that evening.

9. On or about January 25, 2008, in the Marana Justice Court, case numbers CR20070759 and CR10070724, both domestic violence complaints were dismissed without prejudice by prosecutorial discretion after Respondent provided proof that he completed substance abuse and psychiatric medical treatments.

10. On or about February 28, 2008, Respondent answered "yes" to the following question on his Arizona R.N. renewal application, "Since your license was granted or your last renewal, whichever

is later, have you been convicted, entered a plea of guilty, novo contender or no contest or have you been sentenced, served time in jail or prison, or had prosecution deferred or sentence deferred or probation deferred in any felony or undesignated offense?" Respondent provided the Board with Court documents and explained he had very little recall about the 2007 domestic violence arrests due his medical condition and diagnosis of stage III hepatic failure.

11. From on or about June 16, 2009, to on or about June 18, 2009, the Arizona Department of Corrections (ADC) recorded Respondent making derogatory phone messages directed to ADC staff.

12. From on or about May 6, 2009, to on or about June 25, 2009, Respondent told Board staff that he would not cooperate with the Board's complaint investigation.

13. On or about July 16, 2009, Respondent apologized to Board staff for his previous anger behavior, stated he is receiving appropriate treatment, and requested to voluntarily surrender his license.

CONCLUSIONS OF LAW

Pursuant to A.R.S. §§ 32-1606, 32-1663, and 32-1664, the Board has subject matter and personal jurisdiction in this matter.

The conduct and circumstances described in the Findings of Fact constitute a violation of A.R.S. § 32-1601(d), (e), and (j) and A.A.C. R4-19-403 (25) (Adopted and effective July 19, 2005); and A.A.C. R4-19-403(B) (1), (17) and (31) (Adopted and effective November 13, 2005); and A.A.C. R4-19-403 (1), (2), (25)(a) and (31) (Adopted and effective February 2, 2009).

The conduct and circumstances described in the Findings of Fact constitute sufficient cause pursuant to A.R.S. §§ 32-1663(D)(5) 32-1664(N) to take disciplinary action against Respondent's license to practice as a registered nurse in the State of Arizona.

Respondent admits the Board's Findings of Fact, Conclusions of Law.

Respondent understands that he has an opportunity to request a hearing and declines to do so.

Respondent agrees to issuance of the attached Order and waives all rights to a hearing, rehearing, appeal, or judicial review relating to this Order.

Respondent understands that all investigative materials prepared or received by the Board concerning these violations and all notices and pleadings relating thereto may be retained in the Board's file concerning this matter.

Respondent understands that the admissions in the Findings of Fact are conclusive evidence of a violation of the Nurse Practice Act and may be used for purposes of determining sanctions in any future disciplinary matter.

Respondent understands the right to consult legal counsel prior to entering into the Consent Agreement and such consultation has either been obtained or is waived.

Respondent understands that this voluntary surrender is effective upon its acceptance by the Executive Director or the Board and by Respondent as evidenced by the respective signatures thereto. Respondent's signature obtained via facsimile shall have the same effect as an original signature. Once signed by the Respondent, the agreement cannot be withdrawn without the Executive Director or the Board's approval or by stipulation between the Respondent and the Executive Director or the Board. The effective date of this Order is the date the Voluntary Surrender is signed by the Executive Director or the Board and by Respondent. If the Voluntary Surrender is signed on a different date, the later date is the effective date.

Respondent understands that Voluntary Surrender constitutes disciplinary action. Respondent also understands that he may not reapply for re-issuance during the period of Voluntary Surrender.

Respondent agrees that he may apply for re-issuance after the period of voluntary surrender under the following conditions, and must comply with current law at the time of their application for re-issuance:

The application for re-issuance must be in writing and shall contain therein or have attached thereto substantial evidence that the basis for the voluntary surrender has been removed and that the re-issuance of the license does not constitute a threat to the public's health, safety and welfare. The Board may require physical, psychological, or psychiatric evaluations, reports and affidavits regarding the Respondent as it deems necessary. These conditions shall be met before the application for re-issuance is considered.

Leonard L. Christian
Respondent

Date: 7/30/2009

ARIZONA STATE BOARD OF NURSING

Joey Ridenour
Joey Ridenour R.N. M.N. F.A.A.N.

Joey Ridenour, R.N., M.N., F.A.A.N.
Executive Director

Dated: 8/4/09

SEAL

MIDKEFF/RAPPOPORT/RN120173/CHRISTIAN

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ORDER

Pursuant to A.R.S. § 32-1663 (D)(5) the Board hereby accepts the Voluntary Surrender of registered nurse license number RN120173, issued to LEONARD LEE CHRISTIAN. This Order of Voluntary Surrender hereby entered shall be filed with the Board and shall be made public upon the effective date of this Consent Agreement. Respondent shall not practice in Arizona under the

privilege of a multistate license.

IT IS FURTHER ORDERED that Respondent may apply for re-issuance of said license after a period of five (5) years.

SEAL

ARIZONA STATE BOARD OF NURSING

Joey Ridenour R.N. M.N. F.A.A.N.
Joey Ridenour

Joey Ridenour, R.N., M.N., F.A.A.N.
Executive Director

Dated: 8/4/09

JR/mer/pm

COPY mailed this _____ day of _____, 2009, by First Class Mail to:

Signed in the Board Office this _____ day of _____, 2009.

LEONARD LEE CHRISTIAN
2396 E. Rosario Mission Drive
Casa Grande, AZ 85294

By: _____
Legal Secretary